

Amendment No. 1 to HB1387

Armstrong
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1664

House Bill No. 1387*

by deleting the first sentence in Section 2 in its entirety and by substituting instead the following:

() With respect to any person required to be licensed, permitted, certified or authorized by any board, council, committee or agency created pursuant to title 63, chapters 4, 5, 7, 9, 11 and 12, and title 68, chapter 140, attached to the division of health related boards, such board, council, committee or agency may deny an application for licensure, certification, permit or authorization permanently withhold issuance of licensure, certification, permit or authorization, suspend or limit or restrict previously issued licensure, certification, permit or authorization or otherwise discipline a license, certificate, permit or authorization if the applicant, or licensee, or certificate or permit holder has been disciplined by another state or territory of the United States for any acts or omissions which would constitute grounds for discipline of a person licensed, certified, permitted or authorized in this state.

AND FURTHER AMEND in Section 2 by adding the following new appropriately designated subsection:

() In disciplinary actions against individuals holding a license, certificate, permit or authorization in this state at the time of a disciplinary action in another reporting state or territory, in the absence of justifying evidence to the contrary, there shall be a rebuttable presumption that the sanction proposed in any such proceeding will be comparable to that in the reporting state or territory. However, no such presumption shall exist for those who are applying for licensure, certification, permit or authorization in this state during or after the time the disciplinary action in the other state or territory is

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pending or has become final. If a board, council, committee or agency created pursuant to title 63, chapters 4, 5, 7, 9, 11 and 12, or title 68, chapter 140, denies, restricts or conditions a licensure, certification, permit or authorization based on a disciplinary action in another state or territory, the applicant shall, upon written request, filed within thirty (30) days of the date of the action on the application, be entitled to a contested case hearing.

AND FURTHER AMEND in Section 3 by adding the following new appropriately designated subsection:

() In disciplinary actions against individuals holding a license, certificate, permit or authorization in this state at the time of a disciplinary action in another reporting state or territory, in the absence of justifying evidence to the contrary, there shall be a rebuttable presumption that the sanction proposed in any such proceeding will be comparable to that in the reporting state or territory. However, no such presumption shall exist for those who are applying for licensure, certification, permit or authorization in this state during or after the time the disciplinary action in the other state or territory is pending or has become final. If the board denies, restricts or conditions a licensure, certification, permit or authorization based on a disciplinary action in another state or territory, the applicant shall, upon written request, filed within thirty (30) days of the date of the action on the application, be entitled to a contested case hearing.